

WILLIAM H. PRUITT, ESQ.
Nevada Bar No. 6783
JOSEPH R. MESERVY, ESQ.
Nevada Bar No. 14088
BARRON & PRUITT, LLP
3890 West Ann Road
North Las Vegas, Nevada 89031-4416
Telephone: 702-870-3940
Facsimile: 702-870-3950
E-Mail: bpruitt@lvnvlaw.com
Attorneys for Defendant

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHARLES BUTLER, Individually and as
Assignees of TERRIL YNN MORRISON,

Plaintiff,
vs.

**PROGRESSIVE DIRECT INSURANCE
COMPANY; DOES I-V, and ROE
CORPORATIONS I-V, inclusive.**

Defendants.

| Case No: 2:23-cv-00566-APG-BNW

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES
(Fourth Request)**

Defendant PROGRESSIVE DIRECT INSURANCE COMPANY and Plaintiff CHALRES BUTLER, through their respective counsel, submit the foregoing stipulation and order to extend discovery deadlines pursuant to LR 26-4 as follows:

1. Summary of Discovery Completed

To date, the following discovery has been completed in this case:

Item	Date Completed
Plaintiff's Initial Rule 26(a) Disclosures	06/21/2023
Plaintiff's First Set of Interrogatories and Requests for Production to Defendant	06/22/2023
Defendant's Initial Rule 26(a) Disclosures	07/17/2023
Plaintiff's First Supplemental Rule 26(a) Disclosures	08/01/2023
Defendant's Responses to Plaintiff's First Set of Interrogatories and Requests for Production	08/04/2023
Plaintiff's Second Supplemental Rule 26(a)	08/11/2023

Item	Date Completed
Disclosures	
Defendant's Supplemental Responses to Plaintiff's First Set of Interrogatories and Requests for Production	09/01/2023
Defendant's First Supplemental Rule 26(a) Disclosures	09/11/2023
Plaintiff's Third Supplemental Rule 26(a) Disclosures	09/14/2023
Defendant's Second Supplemental Rule 26(a) Disclosures	11/02/2023
Defendant's Third Supplemental Rule 26(a) Disclosures	11/03/2023
Defendant's Designation of Expert Witness	11/08/2023
Plaintiff's Fourth Supplemental Rule 26(a) Disclosures	01/10/2024
Defendant's Fourth Supplemental Rule 26(a) Disclosures	01/10/2024
Defendant's Fifth Supplemental Rule 26(a) Disclosures	01/19/2024
Defendant's Sixth Supplemental Rule 26(a) Disclosures	02/08/2024
Defendant's Seventh Supplemental Rule 26(a) Disclosures	02/09/2024
Defendant's Eighth Supplemental Rule 26(a) Disclosures	03/07/2024
Plaintiff's Sixth Supplemental Rule 26(a) Disclosures	03/11/2024

21 2. Discovery Remaining

22 The following discovery remains to be completed:

- 23 a) Additional Written Discovery;
- 24 b) Deposition of Plaintiff;
- 25 c) Deposition of Rule 30(b)(6) Desginee(s) for Defendant;
- 26 d) The deposition of Perla Ramos;
- 27 e) The deposition of Jacqueline Martinez;
- 28 f) The deposition of Amanda Nalder

- 1 g) The deposition of Preston Rezaee;
 2 h) Deposition(s) of percipient witnesses;
 3 i) Deposition of Defendant's expert witness.

4 3. Reason Why Discovery Was Not Completed

5 Discovery in this matter is currently scheduled to close on July 8, 2024. Although discovery
 6 has diligently progressed since the Scheduling Order was filed on May 23, 2023, additional time is
 7 required to complete discovery and work through scheduling issues due to scheduling conflicts
 8 arising from Defense counsel's trial schedule, as well as scheduled family vacations. Additionally,
 9 the Rule 30(b)(6) designee for Progressive has indicated that he is on vacation and unavailable
 10 during the week of June 24-28. Also, the parties are still in disagreement about a subsection of
 11 topics on which Plaintiff wishes to take the deposition of a Rule 30(b)(6) designee. This subsection
 12 falls within those written discovery topics that the Court directed the parties to conduct a further
 13 meet and confer about. Accordingly, Defendant intends to file a second motion for protective order
 14 regarding those subsections for the Rule 30(b)(6) designee deposition for Defendant. Such motion
 15 will need to be ruled upon. As such, the parties believe that good cause exists to justify extending the
 16 discovery deadlines and hereby request a 90 day extension of the discovery deadlines to allow for
 17 additional time to complete the remaining discovery.

18 4. Proposed Schedule for Completing Discovery

19 Accordingly, the parties respectfully request that this Court enter an order setting the
 20 following discovery plan and scheduling order dates:

Event	Former Deadline	New Deadline
Amend pleadings or add parties	July 11, 2023	No extension requested
Initial Expert Designations	November 8, 2023	No extension requested
Rebuttal Expert Designation	December 11, 2023	No extension requested
Discovery Cut-off	July 8, 2024	Oct. 7, 2024
Dispositive Motions	August 5, 2024	Nov. 4, 2024
Joint Pre-Trial Order	Sept. 5, 2024	Dec. 4, 2024

1 Counsel further state that the requested extension of discovery deadlines is not interposed for
2 purposes of delay, but rather for the purposes set forth above.

3 DATED this 26th day of June, 2024

DATED this 26th day of June, 2024

4 BARRON & PRUITT, LLP

LAW OFFICE OF DAVID SAMPSON, LLC

6 /s/ William H. Pruitt
7 WILLIAM H. PRUITT, ESQ.
Nevada Bar No. 6783
8 JOSEPH R. MESERVY, ESQ.
Nevada Bar No. 14088
3890 West Ann Road
North Las Vegas, NV 89031
9 *Attorneys for Defendant*

6 /s/ David Sampson.
7 DAVID SAMPSON, ESQ.
Nevada Bar No. 6811
630 South Third Street
8 Las Vegas, Nevada 89101
Attorney for Plaintiffs

10 If Defendant wishes to move for a protective order, it must file the motion by July 10, 2024.

11 Plaintiff's response will be due on July 17, 2024, and the reply on July 22, 2024.

12 **IT IS SO ORDERED:**

13 
14 UNITED STATES MAGISTRATE JUDGE

15 DATED: June 27, 2024